

UNITED STATES DISTRICT COURTS
SOUTHERN DISTRICT OF NEW YORK

TOUTON FAR EAST PTE LTD.,

X

08 CV

USDC SDNY *7/16/08*
 DOCUMENT
 ELECTRONICALLY FILED
 DOB # 07/25/2008
 DATE FILED 06-12-08

Plaintiff,

v.

SHIVNATH RAI HARNARAIN (INDIA) LTD.,

Defendant.

08 CV _____

**ORDER FOR ISSUANCE
 OF PROCESS OF
 MARITIME ATTACHMENT**

X

NOW, upon reading the Verified Complaint for issuance of Process of Maritime Attachment and Garnishment, and the Declarations of Timothy Semcnoro, Esq., and the Court finding that the conditions for an action under Supplemental Admiralty Rule B of the Federal Rules of Civil Procedure appear to exist, it is this ___ day of June, 2008, by the United States District Court for the Southern District of New York,

ORDERED that the Clerk shall issue Process of Maritime Attachment and garnishment as prayed for in the Verified Complaint; and it is further

ORDERED that the Clerk shall issue process of attachment against all assets, accounts, freights, hire payments, monies, charter hire, credits, effects, CHIPS credits, electronic fund transfers, payments for bunkers, goods or services, bills of lading, cargo, debts and the like belonging to or claimed by Defendant SHIVNATH RAI HARNARAIN (INDIA) LTD. which are in the possession or control of ABN AMRO Bank, American Express Bank, Ltd., Bank of America, Bank of India, Bank of New York, Citibank NA, Deutsche Bank, HSBC (USA), JP Morgan Chase Bank, Standard Chartered Bank, State Bank of India, UBS AG, Wachovia Bank, Clearing House Interbank Payment System (CHIPS), or any other garnishee within this district, to the amount sued
 \$ 8,640,094.29
 for, US \$11,938,142.29, inclusive of interest and costs, it is further

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ORDERED that any person claiming an interest in the property attached or garnished pursuant to said Order shall, upon application to the Court, be entitled to a prompt hearing at which the plaintiff shall be required to show why the attachment and garnishment should not be vacated or other relief granted, and it is further

ORDERED that a copy of this Order be attached to and served with the said Process of Maritime Attachment and Garnishment, and it is further

ORDERED that, pursuant to Rule 4(c)(1), the Process of Maritime Attachment and Garnishment and Verified Complaint may be served by any associate, agent or paralegal of Chalos, O'Connor & Duffy, LLP, who is not less than 18 years old, and who is not a party to this action, in addition to the United States Marshall, upon garnishee(s) listed in the Verified Complaint, together with any other garnishee(s) who, based upon information developed subsequent hereto by the Plaintiff, may hold assets for or on account of Defendant, and it is further

ORDERED that service on any garnishee(s) (i.e. any original garnishee or any garnishee hereafter) is deemed to be effective and continuous service throughout the remainder of the day upon which such service is made commencing from the time of such service through the opening of the garnishee's business the next business day, and it is further

ORDERED that following initial service upon any garnishee by the United States Marshal or any other designated by Order to make service in this action, supplemental service of the Process of Maritime Attachment and Garnishment shall thereafter be made by way of facsimile transmission or other verifiable electronic means, including e-mail, to each garnishee so personally served, and it is further

ORDERED that supplemental process enforcing this Order may be issued by the Clerk and served without further Order of the Court.

Dated: New York, New York
June __, 2008

JUN 12 2008

SO ORDERED:

George B. Daniels
U.S. DISTRICT COURT
HON. GEORGE B. DANIELS

G.B.D.